DOUBLE SHEET.

NEWS BY TELEGRAPH.

THIRTY-PIRST CONGRESS.

SECOND SESSION.

BY MORSE'S MAGNETIC TELEGRAPH. OFFICE CORNER OF BEAVER AND HANGVER STREETS.
WASHINGTON, February 29, 1851.

PETITIONS, RESOLUTIONS, AND REPORTS. Mr. Unperwoon presented a petition from Alleghany Pennsylvania, for a modification of the tariff, and for the imposition of a tax of one hundred dollars on each o migrant, as a protection to American labor.

ties of Brooklyn.in favor of a line of steamers to Africa He was of opinion that the condition of the free blacks could not be ameliorated while they remained in this country, and recommended the petition to the favora-

Mr. Szwand presented a petition from Clintonville Hamilton county, N. Y., and of seventy-five men and seventy-five women, of Jay, New York, for the uncon ditional repeal of the fugitive slave law. On motion the petition was laid on the table.

Mr. Coores presented petitions of a like character, which were also tabled.

A great number of other petitions were also precented.

A great number of other petitions were also precented.

Mr. Goorsa presented resolutions of the Legislature of Pennsylvania, in favor of a line of steamers from Norfolk to Antwerp, and from San Francisco to Shanghai. China.

Bundry reports upon private claims, &c., were presented; after which, the bill granting

LAND TO MISSOURI FOR EALHOOAD PWRFORES

Was taken up. [It appropriates alternate sections of the public land to aid in the construction of a rall-coad from St. Louis to the western limits of the State.]

The buffermor salt.

As returned from the House with amendments to the Senate's amendments, was taken up, and the

concurred in.

Mr. Turney called up the bill allowing a credit of four years for duties on railroad iron imported by the flennessee and Georgis Railroad Company; but after a long debate, the bill was again laid upon the table—and the Sanate took up the bill relating to

FOSTACES AND THE MAIL SERVICE.

Mr. Bocle moved to add to the sighth section of bir. Ruck's bill, (which authorises the Postmaster General to contract and make arrangements for transperting mails through any foreign country by such transient or other vessels as may be running petween the United States and torsign ports.) that any such contract shall be for four years, and by the chortest and most economical routes—the contract to be modified or abrogated at the discretion of the Postmaster General; and proposals for such contract to be modified or abrogated at the discretion of the Postmaster General; and proposals for such contract to be modified or abrogated at the discretion of the Rostmaster General; and proposals for such contract to be advertised ninety days.

After debate, Mr. Soule's motion was adopted.

Mr. Bawano moved to amend Mr. Rusk's substitute for the House bill, by adding thereto section seven of House bill, authorizing the establishment of post routes is cities for conveying letters to the post offices, by establishing convenient places of deposit, &c.

Mr. Rusk said the power already existed, and the amendment was rejected.

Mr. Muller meved to amend by making the rate of postage on all letters not over haif an cunce, "three cents," whether prepaid or not.

Mr. Bell made a speech against any change in the existing law.

existing law.

The amendment was rejected, only ten voting in favor of it.

Mr. Braddury moved an amendment, abolishing the franking privilege after December next. It this were done, the mails would be relieved of cumbersome, unprofitable matter, and book publications by Congress would be checked.

grees would be checked.

Mr. Jippensson Davis throught the amendment proposed even handed justice.

Mr. Reak would support such a measure, if properly prepared. The amendment only affected members of

Ongress.

Mr. Jeppenson Davis thought if the members of Congress took the beam out of their own eyes, the moat in the eyes of others would soon be discovered.

Mr. Davrox said that as the amendment did not operate till December, he could speak as a disinterested witness. He thought the franking privilege was a benefit to the people.

Mr. Downs opposed the amendment.

Mr. Hamlin supported it.

Mr. Badden moved to adjourn, but the motion was lost.

ost.

Mr. Prence opposed the amondment.

Mr. Cass raid the franking was a privilege of the becopie, and not of the representatives.

Mr. Hars supported the amondment. If petitions were charged letter postage, perhaps that would quiet the agitation of slawery, and carry out the compromies. He was in favor of abolition, even if nothing was abolished except the franking privilege.

The amendment was lost—Yeas, 13; nays, 34.

The Senate then adjourned.

House of Representatives. BY BAIN'S ELECTRO-CHEMICAL TELEGRAPH.

WASHINGTON, Feb. 20, 1851. NAVAL AFFAIRS-MAIL STEAMERS.

Mr. STANTON, (dem.) of Tennessee, from the Co See on Naval Affairs, reported a bill to increase the efficiency of the navy. Referred. The House resumed the consideration of the bill re-

ported vesterday from the Naval Committee for mail steamers from Philadelphia and Norfolk to Antwerp and from California to China—the question being of the motion to refer to the Committee of the Whole on

the State of the Union.

Mr. Bocock. (dem.) of Virginia, favored the bill. claiming that this was the proper plan of an efficient navy-a navy to be used when wanted for war, and in peace for the useful purpose of carrying the malls; and

the American Congress; and he claimed that the right ostabilish those lines, was under the navy power in the constitution.

Mr. Milien. (dem.) of Obio, opposed the bill as unconstitutional, and said that, as in the case of the River and Harbor bill, a combination was formed having regard to the election of President through the aneasure. He protested against its being urged at this late period of the session.

Mr. Stanton withdraw his motion to refer, and moved that the bill be put on its passage.

Mr. Milien moved to refer it to the Committee of the Whole on the State of the Union; and this was greed to year, 105; nays, 31.

FINSION AND MILITARY ACADEMY MILLS.

Bills for the support of the West Point Military ondemy, and fer the payment of revolutionary and ther pensions, were passed.

THE FRENCHE OF HE SINERS—ABSENTEES.

Mr. BAYLY, (dem.) of Va., made an earnest appeal og entlemen to remain here, and not fail into the condition of yesterday, when they were compelled to rise and adjourn for want of a quorum. If they will not stay and keep up: a quorum, it will be utterly impossible to get through with the business of Oonsteas; and he gave notice that every time the House thall bereatter be found without a quorum, he would have the roll called, so that if Congress adjourn without passing the appropriation bills, and an extra season shall be necessary, the country may know whose fault it is, by seeing the names of the absences.

The House went again into Committee of the Whole.

and it is, by seeing the names of the absences.

The INDIAN DEFARMANT—SAY PENSIONS.

The House went again into Committee of the Whole, and teck up the bill making appropriations for the support of the indian Department, which was amended, and the committee then rose, when the bills for the support of the Indian Department and for the support of the Indian Department and for the payment of Navy Pensions were piezed. [Provision is made for a reorganization of the Indian Department, in all its ramifications, totake place on the first of July next.]

Mr. Theoreou, (dem.) of Mississippi, said that during the previous four hours they had spent eight millions of dollars; and on his motion the House adjourned.

Politics in New Hampshire.

DEMOCRATIC NOMINATION -- ATWOOD REPUBLATED Coxcono, N. H., Feb. 20, 1851. The Democratic State Convention, held here to-

day, have repudiated the Rev. John Atwood, the free soiler, who was formerly nominated as the democratic condidate for Governor, and substituted the name of the Hon. Samuel Dinamore, the present incum-bent of the gubernatorial chair. The vote stood— For Dinamore, 202, Atwood, 2 It is believed there will be no choice by the people.

The Pennsylvania Legislature

Напаницион, Feb. 20, 1851 The Sepate, to-day, have had under discussion the bill limiting the time within which a second action of jectment may be brought, after final judgment in the nation of ejectment. The bill proposes the period of

The House has been engaged upon petitions.

The Libel Case in Philadelphia, PHILADELPHIA, Feb. 20, 1851. In the important libel case which has been on triag on the District Court in this city, the jury, this after1000, rendered a verdict for the piaintiff to the amount
1 five hundred dollars. The suit was brought by A.
1000, the publisher of Sott's Weekly Paper, against
1000, there, for conspiring to publish a libel against Sott
101, and there, for conspiring to publish a libel against Sott
101, and his journal. The case has excited great interest
101, and on the District Court in this city, the jury, this after

NEW YORK LEGISLATURE. Senate.

BY MORSE'S MAGNETIC TELEGRAPH.

ALBANY, Feb. 20, 1851.

From Alleghany Madison, and other counties, for the protection of fugitive slaves; for the adoption of all constitutional measures to prevent the recapture of fugitive slaves; of the Chamber of Commerce of New York against any change in the pilotage law. BILL INTRODUCED.

For the more effectual prevention of the sale of lot tery tickets.

tery tickets.

Adebate took place on the question whether the decision made by the Lieutenant Governor is correct, in deciding that the bill ceding State lands to Saratoga and Sackett's Harbor Railroad, required a vote of two thirds of the Senators, as appropriating public property to private purposes.

After a long debate, the question, "Shall the decision of the chair be sustained?" was put, and decided in the negative—the vote being a "tie."

ALBANY, Feb. 20, 1851.

PETITIONS PRESENTED. For the abolition of the death penalty and substitu for the amendment of the general assessment law; for the amendment of the divorce law; two against the repeal of the free school law; against the repeal of th pilot law; two to make it a penal offence to remove fugitive slaves from this State; in favor of par redemp tion; to stay the collection of rents in certain cases.

Involving the representation of that county in the Assembly, was the subject of discussion during the remainder of the day.

The House adjourned without taking the question.

Interesting Items from Washington. ROBABLE FAILURE OF THE NEW POSTAGE BILL-THE ABOLITION OUTRAGE IN BOSTON-FESTIVITIES OF

Advices received this morning from Boston, make he administration feel somewhat easier in regard to the recent outrageous resistance to the law and the ists and negroes of that city. The President is awaiting the receipt of further information before report ing to the Semate in answer to the resolution of that body.

The Cheap Postage bill, it is feared, from the name rous amendments proposed in the Senate cannot pass at this session. Mr. Clay opposes the passage of the bill in its present shape.

It is doubtful if anything in the way of legislation be accomplished at this session, except the making of usual appropriations for the support of the govern Postmaster General Hall has addressed a letter t

the British government, expressing appreciation of their liberality in bringing over the Atlantic's mails, and that under similar oircumstances he should feel it not only a duty, but it would afford peculiar estis-faction, to pursue a like liberal course towards that Grafton Baker. Esq.. was yesterday confirmed, by the Benate, as Chief Justice of the territory of New

Mexico.

Senator Foote leaves to day for New York, to unite in the celebration of Washington's birthday on the

Smith & Perkins, of Alexandria, have contracted with the Ohio Central Religroad Company for the construction of a large number of locemotives.

We have never had a gayer season in our city. Dinaer parties, hops, tamp and other balls are of nightly occurrence, and added to this are two theatres and numerous other amusements. Great preparations are making for the ball to be given on the evening of the 24th. 24th.

The Hon. Joseph R. Chandler delivered a lecture last night before a large audience, on the subject of "Education." The proceeds of the lecture were given to the Female Orphan Asylum.

TRENTON, Feb. 20, 1851. The joint meeting of the Legislature again went into an election for United States Senator to-day, and bal lotted seven times without success. Forty votes were necessary to a choice on each ballot; and the votes

From New Orleans-Jenny Lind, &c. BALTIMORE, Feb. 20, 1851. The mails from New Orleans to the 13th have come

to hand. The papers are barren of news. Jenny Lind and Father Mathew have had a long an pleasing interview. Strangers are thronging to the city in great numbers to hear the Swedish songstress.

The Whig Convention of the Second Congressional district of this State have nominated J. F. Babcock, editor of the New Haven Palladium, as their candidate The Pennsylvania Railroad.

PHILADELPHIA, Feb 20, 1851

At a meeting of the City Council, held this evening an ordinance was passed authorizing a subscription for 30,000 shares (amounting to \$1,500,000.) of the capital stock of the Penusylvania Railroad

Fire at Philadelphia The large four story building on Second street, nest the corner of Catherine, belonging to the Southwar Library, was partially destroyed by fire this morning at five o'clock Loss \$2,000, and fully insured.

Fire at Housville, Lewis Co., N. Y.

Urica. Feb. 20, 1851.

The grist and saw mills, and the sash factory, &c.
belonging to Mr. Goodrich, were consumed by fire on
Monday night. Loss \$5,500, on which there is an insurance of \$2,500.

Marine Disasters.

PEPOPTED WEECK OF THE BRIG PATNAM -SCHOOLE

CHARLESTON, Feb. 20, 1851.
The schooner S. Morris Waln, Captain Crewell, from Carthagens, Central America, bound to New York with an assorted cargo, went ashore yesterday, at four o'clock, P. M., near the harbor's mouth, and soon after sprung a leak. Her position is a dangerous one.

The bark Emily Wilder arrived here to day, from Zanzibar. A report had reached St. Helena, January 14th, that the brig Putnam, Captain Daniel, of Providence, from Cape Town, Cape of Good Hope, for Mozambique and Zanzibar, was lest. No further particulars have been received.

Another Fatal Steamboat Explosion BATON ROUGE, La., Feb. 17, 1851.
The steamer Bride, Captain Ameden from New Or leans exploded her boilers on Red River yesterday killing two persons, and wounding five others.

The Ohio River at Pittsburgh. Pittanuaca. February 20, 1851.

There are twelve feet of water in the Ohio river at this point. The opening of the canal will take place on the 24th inst.

The Steamship Prometheus.

New Onleans, Feb. 20, 1851.

The steamship Prometheus left here to day for New York.

York.

Meteorological Observations, Feb. 20, 1851, 185

Urica and Synacuse — Raining very hard, with prospects of its continuation.

They — Cloudy and rainy, but no wind; thermometer at Ss.

at 38.

Albant.—No wind, and rainy; thermometer 41.

Catsum.—Mild and raining; the river opposite this place is clear of ice.

Rospout.—Warm, and raining hard; thermometer 42; the river opening. ny Morse Line—oppior, 16 wall, st., up stairs.

Utica 8 A. M.—Weather very unpleasant; has rained since midnight; wind N.E.; thermometer 33; baro-

neter 29,000.

Alsany, S.A. M.—Weather cloudy and beginning to ain, wind south; thermometer 41; mercury in bard-neter 60; barometer 50,450 S.P. M.—Cloudy and ainy all day; wind south; thermometer 43; barometer 43; barome .830.

v. 8 A M — Cloudy and rainy; thermometer, 35; south. 8 P.M.—Weather disagreeable and wetay; raining slightly; wind southeast; thermo-

meter 40.

Buningrow, S.A.M.—Weather cloudy; wind strong comeouth; thermometer 32.

Waitsmall, S.A.M.—Cloudy, and threatens rain; independs, thermometer 35.

Intelligence from Nicaragua. THE TRUE CONSTRUCTION OF THE CLAYTON AND BUL

WER TREATY-THE AMERICAN DOCTRINE. We have received advices, per steamer Crescent City, from San Juan de Nicaragua, up to the 4th since the dates brought by the Georgia. The English authorities have completed the new custon house and other buildings, which have been in progress for the last six months. American citi. tens are still disarmed, upon landing there-an indignity to which they are subjected at no other port on the continent.

This state of things has produced much excite ment in the interior, where it was at first believed the Clayton and Bulwer treaty would have the immediate effect of procuring the evacuation o San Juan and the Mosquito Shore by the English, and their restoration to Nicaragua. But as the English agents have denied that such was the in tent of the treaty, the government of Nicaragua has published a circular to the other States of the new confederation, in which it quotes the language of Mr. Clayton on the subject, in a despatch addressed to Mr. Squier, and by him communicated, with a copy of the treaty, to the government in question. This dispatch is of the utmost importance, as showing the real intent of the treaty, and as an effectual and emphatic disproval of the mendacious declaration of Mr. Bulwer, that this treaty has no reference, and was intended to have some to the Mosquito shore. We can assure this gentleman and his government, that Mr. Clayton's understanding of it, is that of the American people, and this country will sustain that construction to its fullest extent. This is a subject which cannot-be hushed up; it is one which has a deep hold on the popular mind, and the public man who shall take high American ground upon it, and avow himself boldly in favor of the fullest vindication of the principle which it involves, will be the next President of this republic. It is a question which will override all minor ones of tariffs and land distribution. And unless the treaty is complied with, in its full extent and spirit, it will, in the language of Mr. Clayton, "inevitably produce a rupture between the United States and Great Britain." The extracts from the dispatch, in the circular before us, are as follows:—

Department of State.

Washington, May 7, 1850 has published a circular to the other States of the

extracts from the dispatch, in the circular before us, are as follows:—

Department of State.

Washington, May 7, 1850

It is proper that I should now inform you that I have negotiated a treaty with Sir Henry Bulwer the object of which is to secure the protection of the it dish government to the Nicaraguan canal, and to liberate Central America from the dominion of any foreign power. Should the treaty be ratified, and I have at present no reason to doubt upon that subject, it will, I trust, secure the passage across the Lathmus, and any and every other practicable passage, whether by canal or railway, at Tehuantepec, Panama, or elsewhere.

I hope and believe that this treaty will preve equally benorable both to Great Britain and the United States, the more especially as it secures the week ister republics of Central America from foreign aggression. All other nations that shall navigate the canal will have to become guarantors of the neutrality of Central America and the Mosquito coast. The agreement is, "not to erect or maintain any fortifications commanding the canal, or in the vicinity thereof; nor to occupy, fortify, colonise, or assume, or exercise any dominion whatever over any part of Nicaragua, Costa Rica, the Mosquito coast. or Central America, nor to make use of any protection, or alliance, for any of these purposes."

Great Henry Managuan and the far made an agreement

Rica, the Mosquito coast, or Central America; nor to make use of any protection, or alliance, for any of these purposes."

Great Britain having thus far made an agreement with us for the great and philanthropic purpose of opening the ship communication through the islhmus, it will now be most decirable, immediately after the ratification of the treaty, on both sides, that you should cultivate the most friendly relations with the British agents in that country, who will hereafter have to devote their energies and co operation with curs, to the accomplishment of the great work designed by the treaty. Kindness and conciliation are most earnestly recommended by me to you. I trust that means will speedily be adopted by Great Britain, to extinguish the Indian title with the help of the Nicaraguans or the company, within what we consider to be the limits of Nicaragua. We have never acknowledged, and never can acknowledge, the existence of any claim of soverignty in the Mosquito king, or any other Indian in America. To do so would be to deny the title of the United States to our own territories. Having always regarded an Indian title as a mere right of occupancy, we can never agree that such a title should be treated otherwise than as a thing to be extinguished at the will of the discoverer of the country. Upon the ratification of the treaty, Great Britain will no longer have any interest to deny this principle which she has recognized in every other case in common with us. Her protectorate will be reduced to a shadow, "Stat nominis umbra," for the can neither occupy, fortify or colonise, or exercise dominion or control in any part of the Mosquito coast or Central America. To attempt to do either of those thisgs, after the exchange of ratifications, would inevitably produce a rupture with the United States. By the teams neither party can occupy to protect, nor protect to occupy.

The British Minister has also given me an official as surance in effect that her Maiesty's government an

The British Minister has also given me an official as-surance in effect that her Majesty's government en-tertains no design to establish any more protectorates in America.

The fate of Central America now depends upon the ratification of the treaty, and the execution of it according to its spirit. Let nothing be done to irritate the British government. By kindness and conciliation on the part of Nicaragua—with the aid of the good offices of this government—Central America, capable as she is, of sustaining the population of a great empire, united in herself, and exerting her best energies for the developement of her great resources, may date the commencement of a career of unexampled prosperity from the date of the ratification of the treaty.

[Signed] JOHN M. CLAYFON.

Theatrical.
From a heavy press of matter, we are unavoidably obliged to curtail our theatrical reports. At the
Bowray Theatric — The performances will consist of
the new and splendid national spectacle of "Washing
ton, or the Path to Fame and Glory." with the excellent drama entitled the "Maid of Tyrol."

BROADWAY THEATRE.—There being but two nights more of the grand and imposing spectacle of " Faustus," which is generally admitted to be the most magnificent production of the day, those who have not as yet seen it, should by all means do so.

Ninto's Thearag.—The beautiful French vaudeville f" Indiana and Charlemagne," together with the bal et of "Catarina." form the attractive features for this evening. The Rouseet Family are the most gracefu Nillo's Theatre.—The Beautile French value value of "Indiana and Charlemagne," together with the ballet of "Catarina." form the attractive features for this evening. The Rousset Family are the most graceful artisies we have ever seen.

BURTON's Theatre.—A fine bill, as usual The excellent drama of "David Copperheid," the splendid spectacle of the "World's Fair." and the comedy of "Faint Heart never Won Fair Lady," comprise the entertainments for this evining.

National Theatre.—A great bill is offered to night for the benefit of the active and talented proprietor, Mr. A. H. Purdy. It is heped his friends will crowd the theatre in every department. If any theatrical manager deserves a bumper, he does.

BROUDHAM'S THEATRE.—The commencing feature will

BROUGHAM'S THEATRE.—The commencing feature will be the farce of "Serve him Right," which will be to leaved by the excellent piece called the "World's Fair," and the whole will close with the farce of "Wilful

Murder."

American Museum.—The alternoon performances will consist of the "Adopted Child," and those of the evening of a musical extravaganta, entitled "Beauty and the Beast," with the farce of "Slasher and

Crasher."
Cineus.—The most classic and beautiful equestrial
exercises are every night given at the Bowery Amphi
theatre. Large audiences attend this place of amuse

ment.

PARGRAMA OF THE PILORIM'S PROGRESS—This afterproon, at three o'clock, the Rev. Dr. Adams, of the
Broome street church, lectures to his congregation
and the audience who attend at Washington Hall to

ee this paperams.

Misser's Rooms.—The splendid panorams of Ireland with illustrations by a very talented lecturer, can be ASTOR PLACE THEATRE—BENEFIT OF MESONS CHAN-FRAU AND THOMNE—This affair comes off to-morrow evening. It is hoped their friends will exert their influence.

Musical.

The Italian Orena.—This is the last night of the season, and "Ernani" is to be performed. There will probably be a full house on this secasion, as the opera is well east. Next week, several members of the company will take their benefits, and the house will be finally closed about the first of next month. The part of the troupe now absent in Boston, will not return till the third of March. They have been eminently successful in Boston. Parodi appeared as Norms, on Wednesday, and added to her popularity. The "Casta Diva" was encored—a proof of good taste and judgment. The "Barber of seville" will be represented there to night; and after the great vocalist has been seen in comic opera, the Bostonians will have had some opportunities for a tolerably fair appreciation of her talents. Bhe always advances in public estimation—excelling in everything she attempts.

Chemary's Misstrakus.—The same excellent negro

estimation—excelling in everything she attempts.

CHRISTY'S MINETARES.—The same excellent negre performances will be given this evening, at this prosperous establishment—singing, instrumental performances and dancing.

Fallows' MINETARES.—This celebrated band announce a fine bill for this evening—singing, dancing, and instrumental performances, with burlesque opera.

Mr. Dempeter, the vocalist, is giving concerts at Petersburg, Va.

Wm R. Myers the person who shot D. M. Hoyt, at Richmond. Va. for an improper fatimacy with his wife, died in that city on Saturday week.

The chief clerk of the post office at Wilmington, Del. has been arrested for robbing the mail, and held to ball in \$3,009 for triel.

But 20.—The People and the sitting of the court this morning. Judge Betts aid, in reference to the case of the United States against Max.—Two objections have been taken by the counsel for the prisoner to the evidence by which the District Attorney protections have been taken by the counsel for the prisoner to the evidence by which the District Attorney protection in the order in an analysis of the counts in this indictions the coupons in question are not "personal goods." within the meaning of the 16th section of the sate of 1700, upon which some of the counts in this indictinent are founded, and a decision of Judge States, and the sate of 1700, upon which some of the counts in this indictinent are founded, and a decision of Judge States, and the sate of the United States, or upon the high seas, shall take and carry away, with an intent to steal or united the sate of the United States, or upon the high seas, shall take and carry away, with an intent to steal or an attention, the personal goods of another." that then a sate of the sate

mail bags of the Helena Bloman, and took the cou-pons therefrom, and that neither Mas nor McClean knew anything about it until they received the cou-pons from him, Lloyd on abore.

The District Attorney objected to the deposition of a man who chose to charge himself with guilt to screen another party, and then run away to Liverpool to avoid detection.

The Court ruled against the admissibility of the de-nesitions.

Mr. Donohue addressed the jury on behalf of the prisoner, and the District Attorney summed up for the

prosecution.

The Judge charged upon the law and the facts, and the jury brought in a verdict of guilty of receiving the coupons, knowing them to be stolen. This verdict subjects the prisoner to a greater punishment than the crime for which he was indicted.

Supreme Court—Circuit Court.

Before Hon Judge Mitchell.

Fen. 20.—Joseph Farrington vs. the New York and Harlem Railroad Compony.—This was an action brought by the plaintiff against the defendants, for damage done by setting fire to his house, situated on the line of the railroad belonging to the defendants, in West-chester county, by sparke issuing from the fire engine of one of their trains. The case was tried in White Plains on the 19th February, 1849, when the plaintiff was non-suited; it was subsequently argued at General Term, and a new trial granted. The testimony adduced on the former trial was now read by consent. By the evidence of Thomas Hanning, a laborer, it appeared that in the month of May, 1848, he was on the line of the Harlem Railroad, in Westchester county; when about twenty miles from New York, at about six o'clock F. M., the train of the New York, and harlem Railroad was coming towards this city, and he then saw the plaintiff about take fire from the sparks which issued from the engine. The cars were not more than sixty feet from the house of the plaintiff at the time, and he sawthe fire from the train catch the roof of the house; the wind blew very hard; the day was blustery; the train let off fire while opposite Mr. Farrington's house; the house was entirely consumed, and plaintiff lays his damages at \$1.000 For the defendants it is contended that the accident did not occur through any negligence of theirs, and that the value of the house, which was an old building and of small dimensions, is over estimated in the staim of the plaintiff. Adjourned.

supreme Court—General Term.

Before Justice Edmonds, and Hon. Judges Edwards and King.

Frm 20.—Habeas Corpus.—In the case of the people against Ernest Moser, charged under the treaty, with stealing a quantity of jawelery and plate from a person name Harnet, residing in London, the Court, after the exazination of the testimony offered by the complainant and on hearing the application of Mr. A. A. Phillips, the counsel for the accused, decided that there was not sufficient evidence to establish the guilt of Mr. Moser, and therefore ordered his discharge.

John C. Nizon vs. Moses Y. Beach.—This was a certicard. It appeared that in 1846, Mr. Brach leased to Mr. Nixon part of the premises of the Sun buildings, for the cuttery business; the lease contained a covenant, that Nixon should not use the premises for any business deemed extra hazardous. He, however, subsequently created a forge, and used it until the 18th August, 1849, when Brach applied to remove him under the summary proceedings act, for breach of covenant; the lease provided that on the violation of any condition by the tenant, the relation between the parties should cease, and the landlord might apply to remove the tenant as if his term had expired. It was objected before the magistrate, on the summary proceedings act, that he had no jurisdiction, because the expiration of Nixon's term, spoken of, meant merely an expiration by lapse of time; and that this was a case of forefeiture only. It was insisted, also, that Mr. Beach had received rent after he knew the forge had been used and that he thus waived the forefeiture.

Mr. James T. Brady, counsel on the part of the defendant, contended that the expiration of the term occurred as much by lapse of time, when it was limited on any event, as if limited to a day, and that though renthad been received by Mr. Beach, the ferge had been used afterwards, and that this was a continuing covenant, each infringement of which gave the landword a new right of action, or a right to remove the tenantumeer the statute.

OFFIRMAL ORDER.

Ordered, That no order of reference as to surplus moneys on a rale of real estate be granted, unless the application be accompanied by a certificate of the clerk, that the report of sale has been duly confirmed and a certificate of the chamberlain of the city that such surplus has been paid into his hands.

Extract from the minutes.

GEO. W. RIBLET, Clerk.

Buperlor Court.

Before Hon. Judge Mason.

Firs. 20.—Jas. Hutchinson rs. G. W. Comstock and John C. Comstock.—This suit was for the value of a horse bought by the pisintiff, in 1845, from the defendants, for the sum of \$225, on the faith that the sai mal was sound. It is alleged that, at the time of sale, the horse was not sound, and that pisintiff had been put te expense for care of the horse to the ameant of \$560. The case was tried before, when a verdict was given for pisintiff for \$123 16. A bill of exceptions was taken at the trial, which was argued in the Supreme Court, and the verdict set aside. The defence is, that the horse was sound when sold, and that his imperfections arose from subsequent treatment or accident while in the possession of the plaintiff. Sealed verdict.

Before Hon. Judge Dass.

cident while in the possession of the plaintiff. Sealed verdict.

Before Hon. Judge Duer.

Richard Decker, vs. Charles D. Mathews and Thomal Gadiner.—This was a suit on a note for \$2363 48, dated 1st Nov., 1847, made by plaintiff to the order of Robert Jones, and the defendant. Thomas Gardiner.—The suit of the order of Robert Jones, and the defendant, Thomas Gardiner. The cause has been on trial for several days. It appeared by the evidence adduced, that the note was made by Decker for the purpose of being discounted in the Manhattan Bank, and applied to a particular purpose. The Manhattan Bank refused to discount it, and James Jones put the note in a safe in the office; and he alleges that Mathews took it out without his knowledge or consent, and gave it to Gardiner, and that Gardiner got it discounted at the Bowery Bank, and applied the proceeds to their own purposes. On the other hand, it is alleged that Mathews took out the note in the presence of James Jones, and with his comsent, and that part of the proceeds was handed to Jones, and another portion given to Mathews took pays debt due by Jones to Mathews. Mr Gerrard summed up on behalf of the defence, and Mr. Stouton for the plaintiff; and after a lengthened and able charge from the Judge, the jury retired, but had not agreed at the rising of the Court. Sealed verdict.

GENERAL TERM

Before Chief Justice Oakley and Hon Judges Sandford

Judge, the jury retired, but had not agreed at the rising of the Court. Sealed verdict.

GENERAL TERM

Before Chief Justice Oakley and Hon. Judges Sandford and Paine

Fun. 20.—Albert G. Bagley, respondent, vs. Gerrit and Edger M. Smith, appellants.—This was an appeal from the special term of this court, to set saide a verdict for \$7.500 obtained by Mr. Bagley, the gold pen and pencil-case manufacturer, in Broadway, against the Mesers. Smith, in an action for a breach of covenant The parties were formerly co partners in business, and the breach of covenant complained of, was that the appellants discolved the partnership during the temporary absence of Mr. Bagley from this city, without sufficient cause or due notice. The ground of appeal, as contended by Mesers. Lord and F. B. Cutting, were on exceptions taken to the charge of the judge at the trial—that improper evidence had been admitted, and alse that the damages were excessive. On behalf of the respondent, Mesers. J. Blosson and Hutchings contended that there was a clear breach of an express, independent covenant; that in estimating the damages, the Court below properly instructed the jury that they might take into consideration the probable profits of Mr. Bagley, not as a rule of damage, but as a circumstance, or one of the means of enabling them to arrive at the amount the plaintiff ought to recover for damages. Counsel for respondent also submitted that the verdict cannot be disturbed as against evidence, where the evidence is doubtful, unless it be manifestly and palpably against the decided weight and preponderance of evidence; that the verdict is not excessive, nor does it call for the interference of this court. Decision reserved.

cision reserved.

Common Pleas.

Before Hon. Judge Woodruff.

Fan. 20.—George Hotchkiss vs. Wm. T. Shufeldt and Edward Bissell.—This was an action to recover possession of personal preperty, which defendant claims to hold for storage of some bundles of "shooks;" the amount sought is \$17. The plaintiff tenders what he deems a just demand. Scaled verdict.

John Jacques vs John W. Farmer.—This was an action for assault and battery. It appeared that a dispute arose between the parties, in May, 1849, respecting the purchase of two and a half pounds weight of solder; upon which occasion it is alleged that the defendant assaulted the plaintiff in his store, by giving him a bex in the face. Scaled verdict.

Before Hon. Judge Ingrabam.

in the face. Scaled wordict.

Before Hon. Judge Ingrabam:

William Cotter vs. N. A. Freeman, Lorenzo Ventura, Patrick Clifford, and Edward Baker.—This was an action for trespass, in entering the house of the plaintiff at the unseasonable hour of two o'clock in the morning, under the plea of searching fer stolen goods, and therecompelling the wife of the plaintiff to leave her bed while the search was being made. The plaintiff was employed in a store, and was suspected of stealing jewelery, the property of a lady in the same house. He was arrested and when brought before the police justice was discharge, and subsequently to the dismissal of the complaint the illegal search thus complained of was made by the defendants, one of the parties being a policeman. The jury rendered a verdict for plaintiff of \$575 damages. A poil was demanded by soussel for defence, and they were found unanimous.

cob C. Weeks. The defendant exercised his right to peremptory challenges, in the cases of James Birdsall, Wm H. Pritchard, James C. Wilson, James Burt, M., van Buren, Stephen C. Wheeler, and Mordeosi D. Smith. Considerably delay was caused by the monattendance of jurors, and having at length sworn in the above, the court postponed the hearing of the case till to-morrow morning, (this day.)

the above, the court postponed the hearing of the case till to-morrow morning, (this day.)

Brooklyn City Intelligence.

Beard of Excise and Tavean Locases.—This Board met yesterday at the Mayor's office, when the committee to whom the petitions had been reterred for a reduction of the charge for licenses and an extension of the time, and on the other hand for a total witholding of the tavern licenses, reported—the majority being adverse to both applications, the petitions were, upon motion, laid on the table. It was then moved that the grocery licenses be reduced to \$15—and by amendment, that tavern licenses be fixed at ten dollars, and grocery ones at five dollars. Both motions were lost, the board being equally divided on the point of reducing the price. The commissioners from the respective wards then proceeded to report on the applications reterred to them, and the board resolved on granting about ninety tavern and forty grocery licenses throughout the city; but many applications remain unconsidered. It was determined to require of all applicants a delaration on eath, that they possessed the accommodations for travellers required by law and that no applications schould be received after Thursday, the 27th inst. In all cases where licenses are granted, they are to be taken up and paid for, on or before the 18th day of March next. The board adjourned till Thursday next, at four o'clock.

Assault with Intense of the first and adjourned till Thursday next, at four o'clock.

Assault with Intense on the simes of the guitty party, whereupon the Court of Oyer and Terminer directed him to be detained, and the matter investigated by a poile justice. The prisoner originally charged was acquitted.

First.—A frame house in Adams street, took fire on Wednesday afternoon, but the flames were very soon

Firs.—A frame house in Adams street, took fire on Wednerday afternoon, but the flames were very soon extinguished. The damage done was caused princi-pally by the water.

pally by the water.

RECEIVING STOLEN GOODS.—Patrick McCoy a junk shopkeeper in Jackson street, was convicted, on Wednesday, of purchasing several brass cocks and some scrap metal from two boys who had stolen them from McNewkirk's founderly, in Water street, New York

The Beard of Education.—The following officers have been appointed for the ensuing year:—Cyrus P. Smith, President; Dr. J. S. Thorne, Vice President; S. L. Holmes, City Superintendent.

B. L. Holmes, City Superintendent.

Firemen's Convention—Danozaous Beildings.—The firemen of Brooklyn, at their last meeting in convention, passed some resolutions expressing in strong terms, their approval of the bill now before the Legislature, to amend the law relative to buildings, and for the prevention of fires and loss of life, and condemning the opposition which the Common Council have shown to the measure.

QUICKEST VOYAGE YET. - The clipper ship Howqua-Capt. McKenzie, Jr , arrived on Wednesday from Shanghai, has made the quickest out and home voyage ever before accomplished. She left here March 14, 1850, and arrived at Shanghai, via San Francisco which place she left again on the 234 Nov., passing Angier when sixteen days out, and arrived here in 88 days. She was absent, in all, eleven months and five days; at sea 279 days, and sailed 43,623 miles. The Anorrica Quick Tair .- The Aberdeen Journal men

per, from St. Helena to the Downs. She accomplished the passage in thirty-two days—the shortest time ever made between those ports.

THE PACKET SHIP MANHAITAN, Capt E. W. Peabody hence Sist ult., arrived at Liverpool on the 6th, mak ing thepassage to sixteen days.

Movements of Individuals.

Hon. Mr. Venable, of North Carolina, has been called home from his seat in Congress, by the illness of his daughter.

C. Twiggs, Mo.; T. Updike, Memphis; E. Dana, Boston were among the arrivals at the Aster House.

Henry M. Johnson has been convicted of murder in the record degree. In causing the death of Judeon Bronson, at Waterbury, Conn. The difficulty graw out of an alleged intimacy between the wife of Bron-son and the prisoner. The penalty is imprisonment for 10's.

ONE WEEK LATER FROM EUROPE.

ABRIVAL OF THE

AMERICAN STEAMSHIP BALTIC, AFTER A

Very Short Winter Passage. OUR EUROPEAN COERESPONDENCE.

Threatened Insurrection in Italy ARRIVAL OF THE NICARAGUAN MINISTER. DEATH OF THE REV. DR. OGILBY. IN PARIS. OPENING OF THE BRITISH PARLIAMENT.

THE CREAT INDUSTRIAL EXHIBITION. THE VERY LATEST NEWS BY TELEGRAPH. STATE OF THE MARKETS,

Intrigues of the Bourbons on the

Continent.

The American mail steamship Baltic, Captain Comstock, arrived, yesterday moraing, from Liverpool, after a passage of eleven days and twenty-one hours-a remarkably short one for this season of the year. She made her last outward passage in ten days and a half.

dec., dec. dic.

She left Liverpool on Saturday, the 8th inst., at 2 o'clock P. M. and brings one week's later intelligence from all parts of Europe.

Mr. de Marcoleta, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Nicaragua to this government, whose arrival has been expected, is a passenger in the Baltic. A severe indispe-sition detained him two months in Paris. The object of this mission is the consummation of the canal question, which has been so long agitated, as well as other matters of public imperance; and the arrival of this diplomatist, whose friendly views toward the people and government of the United States are well known, is & sure promise that the complications at present existing will soon be removed, and rights so defined. as to render fruitless the attempts of a third power in its projected encroachments, (too well known to our political men, however, not to be enabled to frustrate them.) Mr. de Marcoleta goes immediately to Washington.

The steamship Pacific, Capt. Nye, hence, arrived at Liverpool on Monday morning, the 34 inst. She left New York shortly after noon on the 22d ult., experienced very severe N. W. and sortherly gales during her run from the banks of Newfoundland to Cape Clear, and suffered some damage to her paddle floats from the fields of ice. She arrived off the N.W. lightship at 6 o'clack on Monday morning, and off the Rock lighthouse shortly before 11 o'clock; completing her rus from port to port in about 11 days17 hours and 20 minutes. The following is an extract of a letter from Captain Nye, of the Pacific, to E. K. Collins. Esq , agent in this city:-

Esq., agent in this city:—

U. S. Mait Stramer Pacific.

Liverpool., Feb. 8, 1851.;

The Pacific arrived at the N. W. light ship at 6 A. M., on the 5d; and at Liverpool, after three and a hall hours' detention at the bat, at half past 10. We lost full thirty hours, by ice, on the Banks; and were compelled to run thirteen hours to the south and southwest before finding a place that could be penstrated. That brought us dead to lesward, as we had a heavy northerly gale and terrific sea from the Banks to countings, when we took a northeast wind, but are well repaid by the increased confidence gives our passengers, who have witnessed the beautiful performance of the ship in heavy weather. My admiration of the ship is unbounded. I could not had I not seen it, believed that it were possible to run a ship rome fifteen hundred miles directly in the trough of as heavy a sea as I have ever seen in the Atlantic ocean, without a farthing's damage or inconvenience. Such is the fact. Our engines were not stopped during the voyage, and are in perfect order.

We learn, by letters from Paris, that the Presi-

dent's dotation bill, is almost certain of being rejected by the Legislative Assembly. In that event a national subscription is confidently spoken of. Such a step would, undoubtedly, be a severe condemnation of the conduct of the Assembly.

A collision has taken place at Mostar, in Bosnia between the Turkish troops and the insurgents, in which the latter were defeated. The new government of Holstein has published a

proclamation to the inhabitants of the Duchy, by which the Diet is dissolved, the fundamental laws of September, 1848, and the Frankfort fundamental laws for Germany, are abolished, and all laws passed since March, 1848, will have only a provi-The Holstein Stadtholders have resigned in fa-

vor of the new Provisional government. In their proclamation they state, that the Germanic confederation intends to protect the established relations between Schleswig and Holstein. Vienna letters state that, the Count de Chambers

is laboring under a serious illness, which threatens

to terminate fatally.

Mr. Felix Pyat has, on the application of the French government, been expelled from Switzer-

London, on the 7th inst:-

In Seain, the new ministry have already discovered that their promised retrenchments are not so easily effected; and the rumors of another ministerial crisis are very prevalent. Besides other difficulties, they are personally repugnant to the Intelligence from Vienna states, that a conspiracy of a revolutionary nature, had been discovered

at that capital. Some eighty individuals had been

arrested. The conspiracy is said to have ramifica tions in all parts of Germany. It was discovered from some correspondence seized by order of Count Leiningen at Cassel. Our advices from India are nothing more imper-

tant than Sir Charles Napier's farewell address to the army-elequent, judicious, complimentary, and

The British Parliament opened on Tuesday, the 4th inst. The Queen escaped comment by delegating the settlement of the Papal question to ir collective wisdom. Lord John Russell made slong speech. He recommended that all property left to clerical Catholics, with English titles, be seized by the Crown, and that future assumptions of all such titles in England and Ireland be prohibited. He also recommends Wiseman to live in Reme quietly.

The steamer Thames arrived at Southampton on the 5th inst. with \$1,400,000 in specie, of which \$500,000 were in silver and \$900,000 in gold, the latter principally from California.

Galtguant's Messenger of the 4th inst., makes the following announcement:-

At Paris, on the 2d inst, the learned and much extermed Rev. John D. Ogiby, D. D. Professor in the Theological Seminary of the Episcopal Church, New York who, after a crust and Bugeting Blassa, which he supported as a Christian, departed this life in hope